Public (Refugees) (1948) Department.

SERIES.

G.O. No. 2304
1304

Dated 16th September 1948
15-9-1948

[Despatch Abstract.]

Refugees from Pakistan - Control of entry into India - Permit system - Influx from West Pakistan (Control) Ordinance, 1948 - Rules issued under Sec. 3(2) - Communicated to District Magistrates, etc.

GOVERNMENT OF MADRAS

(Abstract)

REFUGEES FROM PAKISTAN - Control of entry into India - Permi system - Influx from West Pakistan (Control) Ordinance, 1948 - Rules issued under section 3(2) - Communicated to District Magistrates, etc.

Public (Refugees) Department

G.O.Ms.No.2304, Dated the 16th September 19
Read the following:-

1. G.O.No.1769 Public (Refugees), dated 21st July 1948
2. G.O.No.1861 Public (Refugees), dated 31st July 1948
3. From the Government of India, Ministry Without Portfolio, No.II55)/48-Genl. dated the 10th September 1948.

O R D E R:

A copy of the Government of India's letter cited and the rules issued under section 3(2) of the Influx from West Pakistan (Control) Ordinance, 1948, are communicated to the District Magistrates, District Superintendents of Police, the Commissioner of Police, Madras and all other officers concerned for informatic and guidance.

2. Attention is specially invited to Rule 12 of the Rules. If any person holding a temporary permit stays in India after the date of expiry of the permit, action should be taken against such a person promptly under Section 4 of the Influx from West Pakista (Control) Ordinance, 1948. The attention of the District Superintendents of Police is also invited to Instruction 15 of the Government of ~~the Government of~~ India Instructions communicated with G.O.No.1769 Public (Refugees) dated 21st July 1948.

3. G.O. No. 1769 Public (Refugees) dated 16th August 1948 is cancelled.

(By Order of His Excellency the Governor)

S. Venkateswaran,
Additional Secretary to Government.

To all District Magistrates, District Superintendents of Police, the Commissioner of Police, Madras, Inspector-General of Polic Madras, the Secretary, Refugees Relief Committee, Madras
Copy to the Government of India, Ministry of Relief and Rehabilitation, New Delhi
Copy to the Government of India, Ministry without Portfolio
Copy to the Board of Revenue, Madras
Copy to the Public (Military) Department/Home Department
To the Controller of Emigration, Madras.

Copy of Office Memorandum No.II(55)/48-Genl. dated the 10 September 1948 from the Government of India, Ministry without Por folio, New Delhi addressed to Chief Secretaries to all Provincial Governments etc.

Introduction of Permit System for movement of passengers from West Pakistan to Indian Union - Rules framed under the Influx from West Pakistan (Control) Ordinance, 1948.

In continuation of this Ministry's Office Memorandum No. II(55)/48-Genl. dated the 29th July 1948, on the above subject, two copies of the revised rules framed under the section 3 of the Ordinance No.XVII of 1948 (Influx from West Pakistan (Control) Ordinance, 1948) are forwarded herewith for information and necessary action. These revised rules are being published in the next issue of the Government of India Gazette.

The rules previously forwarded under this Ministry's Offic Memorandum No.II(55)/48-Genl, dated the 29th July 1948 may be considered as cancelled.

p.t.o.

GOVERNMENT OF INDIA
Ministry without Portfolio

Rules regarding permit system introduced between Pakistan and India

NOTIFICATION NO.II(55)/48-Genl.,
New Delhi, dated 7th September 1948.

In exercise of the powers conferred by section 3 Influx from West Pakistan (Control) Ordinance, 1948 (XVII of 1948) the Central Government is pleased to make the following rules:-

1. These rules may be called the Permit System Rules, 1948.

2. In these rules

(i) "Checkpost" means a place where permits are checked
(ii) "High Commissioner" or "Deputy High Commissioner" means the High Commissioner or Deputy High Commissioner for India in Pakistan.
(iii) "State" means an Acceding State.
(iv) "Refugee" means a person domiciled or ordinarily resident in, or owning property in, or who carried on business within the territories now comprised in the Dominion of Pakistan and who has, since the first day of March, 1947, left or been made to leave his place of residence or has been abandoned or been made to abandon his property or business in the said territories on account of civil disturbances or the fear of such disturbances or the partition of the country.

There shall be four kinds of permits, namely:-

(i) Permits for temporary visit
ii) Permits for resettlement or permanent return; and
i) Permit Permanent permits and
(iv) Permits to return to India.

4. Permits shall be printed in triplicate in bound books and serially machine-numbered. The first copy shall be kept by the issuing authority, the second copy shall be sent to the Superintend of Police of the district or State to which the applicant may be going and the third copy shall be given to the applicant.

5. Permits may be issued by the High Commissioner at Karachi or the Deputy High Commissioner at Lahore.

6. The General Manager of the Jodhpur Railway may issue a temporary or permanent permit to any member of the staff of that railway which shall be used for crossing or re-crossing the frontier while on duty and shall contain photograph of the person to whom it is issued.

7. Government Officers and business men who have frequently to travel between the two Dominions on duty or on business may be given permanent permits signed by an officer specified in rule 5 In case Pakistan also introduces the permit system, such permits shall be countersigned by the authorised officers of both the Dominions. Each such permit shall bear the photograph of the person to whom it is issued.

8. An application for permit shall be submitted in the form specified in the appendix I to these rules.

9. The permits shall be in the form specified in appendix II to these rules.

10. Any officer of the Check-Post may ask the Permit holder to sign his name or put his thumb mark afresh with a view to compare it

11. On the completion of their return journey the permit for temporary visit shall be handed over to the officer at the Check Post or to the issuing Authority.

12. No person holding a temporary permit shall stay in India after the date of expiry of such permit.

13. Refugee specials from Hyderabad (Sind) shall be accompanied by an officer appointed by the High Commissioner. On the authority of such officer, the persons travelling in the special may be allowed to enter India without any permit. Persons travelling by ordinary trains from Hyderabad (Sind) shall secure permits from an officer appointed for the purpose at Hyderabad by the High Commissioner. The period of such permits shall not exceed the period necessary for the journey and a small margin for any delay.

14. Refugees travelling under the Indian Government Evacuation Organisation operating in West Punjab shall, on the certificate of the escorting officer, be allowed to enter India without any permit.

15. Refugees coming by sea from Karachi to Bombay or any other Indian Port will require permits, unless they travel by ship exclusively meant for refugees. The period of such permi should be so timed as to expire immediately after the arrival the ship in the Indian Port where the refugee is to disembark.

for

16. A permit/resettlement or Return may be granted by the High Commissioner or Deputy High Commissioner only -

(i) after personal scrutiny of the application; and
(ii) after securing agreement of the state or the province where the applicant intends to resettle

17. Application from a person wishing to return to India temporarily with his family shall be specially scrutinised by the High Commissioner or the Deputy High Commissioner.

18. No Railway, Shipping Company or Airway shall issue ticket to any passenger who is not in possession of a permit.

APPENDIX I

(Application for Permit - See rule 8)

Name (in block capitals)
Father's name
Full address in Pakistan
Age
Purpose of visit and places to be visited
Duration of visit
Address in India and one or two references in India
Signature of applicant

Certificate by a Magistrate, Justice of the Peace, or M.L.A.

Certified that the information given in the above application is correct.

Signature Date

APPENDIX - II

(See Rule -9)

Form of Temporary Permit.

Book No. Serial No.
Name (in Block Capitals)
Father's name
Full address in Pakistan

p.t.o.

Occupation
Address in India and one or two references
Purpose of visit and places to be visited
Duration of visit
Signature of applicant.

The applicant whose details are given above is permitted to stay in India for the purpose specified above from .....to.....19

Signature
(High Commissioner for India, Karachi
Dy High Commissioner for India, Lahore).

Official Seal

Dated: Karachi the
Lahore the

(B)

Form of Permit for Resettlement or Permanent return.

Book No. Seal No.
Name (in Block Capitals)
Father's name
Occupation
Age
Address in India where resettlement desired
References
Signature of Applicant.

The applicant whose details are given above is allowed to resettle in/return to India permanently. This has reference to the permission granted by the Government of .....in their letter No.-..... dated.....

Signature

High Commissioner for India, Karachi

Dy. High Commissioner for India, Lahore

Official seal

Dated: Karachi, the

Lahore the

APPENDIX II

(C)

Form of Permanent permit.

1. Name Pass No.
2. Father's name
3. Occupation and Permanent address Photograph
4. Age
5. Religion
6. Mark of identification
7. Specimen signature or thumb impression of the holder.

8. Valid for.....

High Commissioner for India, Karachi

Dy.High Commissioner for India, Lahore

Dated:

(N.B. This pass must be retained by the Holder).

(True copy R. Thiagarajan.

Office Assistant,
Madras Record Office. 3/11